

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DARRYL MCELROY,

Plaintiff,

v.

SANDS CASINO,

Defendant.

CIVIL ACTION  
NO. 12-6219

**ORDER**

**AND NOW**, this 7<sup>th</sup> day of January, 2014, upon consideration of Defendant Sands Casino's Motion for Summary Judgment (Docket #35), as well as Defendant's Motion to Strike Plaintiff's Opposition to Defendant's Motion for Summary Judgment and Plaintiff's Response to Defendant's Undisputed Material Facts (Docket #45) and Plaintiff's Response to the Motion to Strike, it is hereby **ORDERED** as follows:

1. Defendant's Motion to Strike (Docket #45) is **GRANTED**. Plaintiff's Opposition to the Motion for Summary Judgment (Docket #44) and Plaintiff's Response to Defendant's Undisputed Material Facts (Docket #43) are hereby stricken.
2. Defendant's Motion for Summary Judgment (Docket #35) is **GRANTED**.
3. Judgment is entered in favor of Defendant and against Plaintiff on all counts.
4. The Clerk is directed to close this case for statistical purposes.

**BY THE COURT:**

/s/ Jeffrey L. Schmehl  
Jeffrey L. Schmehl, J.